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Snell & Wilmer L.L.P. (AMEX) ONE ARIZONA CENTER 400 E. VAN BUREN STREET PHOENIX, AZ 85004-2202			LONG, FONYA M	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/707,715	<b>Applicant(s)</b> AVILES ET AL.	
	<b>Examiner</b> FONYA LONG	<b>Art Unit</b> 3689	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12/14/2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This communication is a Non-Final Office Action rejection on the merits in response to communications received on December 14, 2009. Claims 1 and 3-20 have been amended. Claims 1-20 are currently pending and have been addressed below.

#### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 14, 2009 has been entered.

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4-6, 16, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacFarlane et al. (7,014,104) in view of Major (US 2002/0174063).

**As per Claim 1**, MacFarlane et al. discloses a donation method performed by a computer including a processor and a memory unit coupled to the processor (Col. 3,

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Lines 35-50, via a gift site that is a website on the Internet and may include servers and other computers as is well known in the art), the method comprising:

providing access to charity data stored in the memory unit related to a plurality of government approved charities (Col. 1, Lines 13-23, discloses websites providing information on a number of charities to assist others in selecting the best charity. Information on the purpose of the various charities, the efficiency and overhead, etc...may be provided to potential donors);

receiving, from an employee of an employer, an identifier of a selected charity of the plurality of government approved charities, and employee donation amount, and an employer identifier corresponding to the employer (Col. 2, Lines 54-64, discloses transfer information being received from the initiator (i.e. employee or donor). Claim 1, discloses the transfer information includes a third party identifier (i.e. charity identifier), a second party identifier (i.e. employer identifier), and the amount (i.e. donation amount));

matching the identifier of the selected charity to a charity category stored in the memory unit, wherein the charity category corresponds to the employer identifier (Col. 2, Line 65-Col. 3, Line 23, discloses the transfer information (which includes a charity identifier) being analyzed, wherein (Col. 10, Lines 45-65) the information is used to determine if the donation qualifies for matching based on the matching party's stored rules and guidelines); and

processing, a payment to the selected charity on behalf of the employer for the final employer donation amount (Col. 11, Lines 7-17, discloses processing via matching funds are transferred to the stored value fund of the receiver (i.e. charity)).

However, MacFarlane et al. fails to explicitly disclose a percentage and a cap amount; multiplying the donation amount by the percentage; and calculating a donation amount based on the cap amount.

Major discloses an automated donation process and system with the concept of retrieving a percentage and a cap amount stored in the memory unit, wherein the percentage and the cap amount each correspond to the charity category and the employer identifier ([0086-0093] discloses retrieving a weighted donation rate (i.e. percentage) and a capped donation rate (i.e. cap amount) from the server ([0073])); multiplying the employee donation amount by the percentage to compute a preliminary employer donation amount ([0090] discloses multiplying the charitable donation by the allocation rate for charity (i.e. percentage)); and calculating a final employer donation amount by limiting the preliminary employer donation amount to the cap amount ([0093] discloses the concept of determining a donation amount wherein the donation amount is limited by a cap amount).

Therefore, from the teaching of Major, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gift matching method of MacFarlane et al. to include a percentage and a cap amount; multiplying the donation amount by the percentage; and calculating a donation amount based on the cap amount as taught by Major in order to aid in providing an efficient and automated means in providing charitable donations.

**As per Claim 2**, MacFarlane et al. discloses the method being performed in an online environment (Col. 3, Lines 35-50, via the gift site is a website on the Internet).

**As per Claim 4**, MacFarlane et al. discloses storing, in the memory unit, at least one of (1) a plurality of charity identifiers corresponding to a plurality of employer identifiers and (2) a plurality of charity categories corresponding to a plurality of employer identifiers (Col. 9, Lines 11-35, discloses storing receiver (i.e. charity) information relating to the efficiency of the charity, the goals of the charity, donation criteria, etc..).

**As per Claims 5 and 6**, MacFarlane et al. discloses providing access to charity data further includes providing access to charity data respectively related to all government approved 501(c) charities (Col. 1, Lines 13-23, discloses websites providing information on a number of charities to assist others in selecting the best charity. Information on the purpose of the various charities, the efficiency and overhead, etc...may be provided to potential donors) via a donation portal (Col. 1, Lines 13-23, via a website).

**As per Claim 16**, MacFarlane et al. discloses providing access to charity data stored in the memory unit related to at least one of a plurality of government approved charities (Col. 1, Lines 13-23, discloses websites providing information on a number of charities to assist others in selecting the best charity. Information on the purpose of the various charities, the efficiency and overhead, etc...may be provided to potential donors);

receiving, from an employee of an employer, an identifier of a selected charity of the plurality of government approved charities, and employee donation amount, and an employer identifier corresponding to the employer (Col. 2, Lines 54-64, discloses

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transfer information being received from the initiator (i.e. employee or donor). Claim 1, discloses the transfer information includes a third party identifier (i.e. charity identifier), a second party identifier (i.e. employer identifier), and the amount (i.e. donation amount));

storing, in the memory unit, the identifier of a selected charity of the plurality of government approved charities, the employee donation amount, and the employer identifier corresponding to the employer (Col. 9, Lines 11-34, discloses storing in databases information pertaining to a plurality of charities, matching party (i.e. employer) information and initiator (i.e. employee) information. Examiner asserts that type of information being stored hold little patentable weight in a method claim. The method of storing information would be performed the same regardless of the type of information being stored.);

matching the identifier of the selected charity to a charity category stored in the memory unit, wherein the charity category corresponds to the employer identifier (Col. 2, Line 65-Col. 3, Line 23, discloses the transfer information (which includes a charity identifier) being analyzed, wherein (Col. 10, Lines 45-65) the information is used to determine if the donation qualifies for matching based on the matching party's stored rules and guidelines); and

processing, a payment to the selected charity on behalf of the employer for the final employer donation amount (Col. 11, Lines 7-17, discloses processing via matching funds are transferred to the stored value fund of the receiver (i.e. charity)).

However, MacFarlane et al. fails to explicitly disclose a percentage and a cap amount; multiplying the donation amount by the percentage; and calculating a donation amount based on the cap amount.

Major discloses an automated donation process and system with the concept of retrieving a percentage and a cap amount stored in the memory unit, wherein the percentage and the cap amount each correspond to the charity category and the employer identifier ([0086-0093] discloses retrieving a weighted donation rate (i.e. percentage) and a capped donation rate (i.e. cap amount) from the server ([0073])); multiplying the employee donation amount by the percentage to compute a preliminary employer donation amount ([0090] discloses multiplying the charitable donation by the allocation rate for charity (i.e. percentage)); and calculating a final employer donation amount by limiting the preliminary employer donation amount to the cap amount ([0093] discloses the concept of determining a donation amount wherein the donation amount is limited by a cap amount).

Therefore, from the teaching of Major, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gift matching method of MacFarlane et al. to include a percentage and a cap amount; multiplying the donation amount by the percentage; and calculating a donation amount based on the cap amount as taught by Major in order to aid in providing an efficient and automated means in providing charitable donations.

**As per Claim 20**, MacFarlane et al. discloses verifying at least one the selected charity, the percentage, the cap amount, the preliminary employer donation amount and



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the final employer donation amount by communicating with at least one third party, the third party including at least one of: an employer, a financial institution, and the Internal Revenue Service (Col. 10, Lines 31-44, discloses verifying transaction information (i.e. charity, donation amount, etc...) by communication with the government (i.e. Internal Revenue Service).

3. Claims 3, 10, 12, 13, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacFarlane et al. (7,014,104) in view of Major (US 2002/0174063) and in further view of Chien et al. (US 2001/0054003).

**As per Claims 3 and 17**, the MacFarlane et al. and Major combination discloses the claimed invention as applied to Claim 1, above. However, the combination fails to explicitly disclose loyalty points being used as a charitable donation.

Chien et al. discloses a system and method of using loyalty points with the concept of loyalty points being used as a charitable donation ([0012] discloses a user redeeming or converting loyalty points for charitable donations).

Therefore, from the teaching of Chien et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the MacFarlane et al. and Major combination to include loyalty points being used as a charitable donation as taught by Chien et al. in order to provide a non-monetary way for a donor to contribute to a desired charitable organization.

**As per Claim 10**, MacFarlane et al. discloses providing access to charity data stored in the memory unit related to a plurality of government approved charities (Col. 1, Lines 13-23, discloses websites providing information on a number of charities to assist

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others in selecting the best charity. Information on the purpose of the various charities, the efficiency and overhead, etc...may be provided to potential donors);

receiving, from an employee of an employer, an identifier of a selected charity of the plurality of government approved charities, and employee donation amount, and an employer identifier corresponding to the employer (Col. 2, Lines 54-64, discloses transfer information being received from the initiator (i.e. employee or donor). Claim 1, discloses the transfer information includes a third party identifier (i.e. charity identifier), a second party identifier (i.e. employer identifier), and the amount (i.e. donation amount));

storing, in the memory unit, the identifier of a selected charity of the plurality of government approved charities, the employee donation amount, and the employer identifier corresponding to the employer (Col. 9, Lines 11-34, discloses storing in databases information pertaining to a plurality of charities, matching party (i.e. employer) information and initiator (i.e. employee) information. Examiner asserts that type of information being stored hold little patentable weight in a method claim. The method of storing information would be performed the same regardless of the type of information being stored.);

matching the identifier of the selected charity to a charity category stored in the memory unit, wherein the charity category corresponds to the employer identifier (Col. 2, Line 65-Col. 3, Line 23, discloses the transfer information (which includes a charity identifier) being analyzed, wherein (Col. 10, Lines 45-65) the information is used to determine if the donation qualifies for matching based on the matching party's stored rules and guidelines); and

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processing, a payment to the selected charity on behalf of the employer for the final employer donation amount (Col. 11, Lines 7-17, discloses processing via matching funds are transferred to the stored value fund of the receiver (i.e. charity)).

However, MacFarlane et al. fails to explicitly disclose a percentage and a cap amount; multiplying the donation amount by the percentage; calculating a donation amount based on the cap amount; and loyalty points.

Major discloses an automated donation process and system with the concept of retrieving a percentage and a cap amount stored in the memory unit, wherein the percentage and the cap amount each correspond to the charity category and the employer identifier ([0086-0093] discloses retrieving a weighted donation rate (i.e. percentage) and a capped donation rate (i.e. cap amount) from the server ([0073])); multiplying the employee donation amount by the percentage to compute a preliminary employer donation amount ([0090] discloses multiplying the charitable donation by the allocation rate for charity (i.e. percentage)); and calculating a final employer donation amount by limiting the preliminary employer donation amount to the cap amount ([0093] discloses the concept of determining a donation amount wherein the donation amount is limited by a cap amount).

Therefore, from the teaching of Major, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gift matching method of MacFarlane et al. to include a percentage and a cap amount; multiplying the donation amount by the percentage; and calculating a donation amount based on the

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cap amount as taught by Major in order to aid in providing and efficient and automated means in providing charitable donations.

Chien et al. discloses a system and method of using loyalty points with the concept of loyalty points being used as a charitable donation ([0012] discloses a user redeeming or converting loyalty points for charitable donations).

Therefore, from the teaching of Chien et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the MacFarlane et al. and Major combination to include loyalty points being used as a charitable donation as taught by Chien et al. in order to provide a non-monetary way for a donor to contribute to a desired charitable organization.

**As per Claim 12**, MacFarlane et al. discloses storing, in the memory unit, at least one of a plurality of charity identifiers corresponding to a plurality of employer identifiers and a plurality of charity categories corresponding to a plurality of employer identifiers (Col. 1, Lines 13-23, discloses storing information on a number of charities to assist others in selecting the best charity. Information on the purpose of the various charities, the efficiency and overhead, etc...may be provided to potential donors).

**As per Claim 13**, MacFarlane et al. discloses providing access to charity data related to a government approved 501(c) charity (Col. 1, Lines 13-23, discloses websites providing information on a number of charities to assist others in selecting the best charity. Information on the purpose of the various charities, the efficiency and overhead, etc...may be provided to potential donors).

**As per Claim 15**, the MacFarlane et al. and Major combination discloses the claimed invention as applied to Claim 10, above. However, the combination fails to disclose verifying loyalty point information.

Chien et al. discloses a system and method for using loyalty points with the concept of verifying loyalty point information by communicating with at least one third party, the third party including at least one of: a financial institution, a charity, a loyalty point issuer, and a government entity authorized to approve charities ([0010-0011] discloses an account manager verifying loyalty point information via verifying that sufficient credit is available on participant's financial transaction account and/or sufficient loyalty points are available in participant's loyalty account).

Therefore, from the teaching of Chien et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the MacFarlane et al. and Major combination to include verifying loyalty point information as taught by Chien et al. in order to provide a non-monetary way for a donor to contribute to a desired charitable organization.

4. Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over DonationDepot.com (October 8, 2001) in view of MacFarlane et al. (7,014,104) and in further view of Major (US 2002/0174063).

**As per Claim 7**, DonationDepot.com discloses a donation method comprising:  
providing access to charity data stored in the memory unit related to a plurality of government approved charities (Pages 1 and 3, discloses the system providing all donors and all US 501(c)3 non-profit organizations access, wherein a list of all

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registered non-profit organizations in the United States are provided to the donors) via a online donation portal (defined as a site serving as a guide or point of entry to the World Wide Web and usually including a search engine or a collection of links to other sites arranged especially by topic in *Merriam-Webster Online Dictionary*. Retrieved July 17, 2008, from <http://www.merriamwebster.com/dictionary/portal>) (Pages 1-10, discloses providing a search engine on the website where a donor may search for a charity; and providing a hyperlink to obtain additional information about a charity via “Featured Charity”);

receiving, from an employee of an employer via the donation portal, charity search criteria (Pages 1-10, discloses providing a search engine on the website where a donor may search for a charity via entering search criteria); and

selecting, based on the charity search criteria, an identifier of a selected charity stored in the memory unit using a search function of the donation portal (Pages 3, and 6-8, discloses providing a list of charities based on the search results wherein a user may select one the charities listed).

However, DonationDepot.com fails to explicitly disclose receiving employer identifier; matching the charity to a charity category; a percentage and a cap amount; multiplying the donation amount by the percentage; and calculating a donation amount based on the cap amount.

MacFarlane et al. discloses a gift matching method with the concept of receiving, from the employee, an employee donation amount, and an employer identifier corresponding to the employer (Col. 2, Lines 54-64, discloses transfer information being

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received from the initiator (i.e. employee or donor). Claim 1, discloses the transfer information includes a third party identifier (i.e. charity identifier), a second party identifier (i.e. employer identifier), and the amount (i.e. donation amount));

matching the identifier of the selected charity to a charity category stored in the memory unit, wherein the charity category corresponds to the employer identifier (Col. 2, Line 65-Col. 3, Line 23, discloses the transfer information (which includes a charity identifier) being analyzed, wherein (Col. 10, Lines 45-65) the information is used to determine if the donation qualifies for matching based on the matching party's stored rules and guidelines); and

processing a payment to the selected charity on behalf of the employer for the final employer donation amount (Col. 11, Lines 7-17, discloses processing via matching funds are transferred to the stored value fund of the receiver (i.e. charity)).

Therefore, from the MacFarlane et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the donation system of DonationDepot.com to include receiving employer identifier; and matching the charity to a charity category as taught by MacFarlane et al. in order to aid in providing employees and employers the incentive and ability to donate to charities.

Major discloses an automated donation process and system with the concept of retrieving a percentage and a cap amount stored in the memory unit, wherein the percentage and the cap amount each correspond to the charity category and the employer identifier ([0086-0093] discloses retrieving a weighted donation rate (i.e. percentage) and a capped donation rate (i.e. cap amount) from the server ([0073]));

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multiplying the employee donation amount by the percentage to compute a preliminary employer donation amount ([0090] discloses multiplying the charitable donation by the allocation rate for charity (i.e. percentage)); and calculating a final employer donation amount by limiting the preliminary employer donation amount to the cap amount ([0093] discloses the concept of determining a donation amount wherein the donation amount is limited by a cap amount).

Therefore, from the teaching of Major, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the DonationDepot.com and MacFarlane et al. combination to include a percentage and a cap amount; multiplying the donation amount by the percentage; and calculating a donation amount based on the cap amount as taught by Major in order to aid in providing an efficient and automated means in providing charitable donations.

**As per Claim 9**, DonationDepot.com discloses storing a plurality of information (Pages 1-10, discloses storing information pertaining to a plurality of charities).

Examiner asserts that type of information being stored holds little patentable weight in a method claim. The method of storing information would be performed the same regardless of the type of information being stored.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over DonationDepot.com (October 8, 2001) in view of MacFarlane et al. (7,014,104) and in further view of Major (US 2002/0174063) and Chien et al. (US 2001/0054003).



**As per Claim 8**, the DonationDepot.com, MacFarlane et al. and Major combination discloses the claimed invention as applied to Claim 7, above. However, the combination fails to explicitly disclose loyalty points being used as a charitable donation.

Chien et al. discloses a system and method of using loyalty points with the concept of loyalty points being used as a charitable donation ([0012] discloses a user redeeming or converting loyalty points for charitable donations).

Therefore, from the teaching of Chien et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the DonationDepot.com, MacFarlane et al. and Major combination to include loyalty points being used as a charitable donation as taught by Chien et al. in order to provide a non-monetary way for a donor to contribute to a desired charitable organization.

6. Claims 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacFarlane et al. (7,014,104) in view of Major (US 2002/0174063) and in further view of Chien et al. (US 2001/0054003) and DonationDepot.com (October 8, 2001).

**As per Claim 11**, the MacFarlane et al., Major, and Chien et al. combination discloses the claimed invention as applied to Claim 10, above. However, the combination fails to disclose receiving recurring billing information.

DonationDepot.com discloses a donation system with the concept of receiving recurring billing information (Page 2, discloses receiving automatic payroll deduction information (i.e. recurring billing). Examiner asserts that the type of person providing the billing information holds little patentable weight in the method claim. Examiner asserts

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the method of receiving recurring billing information would be performed the same regardless type of person providing the information.).

Therefore, from the teaching of DonationDepot.com, it would have been obvious to one of ordinary skill in the art to modify the MacFarlane et al., Major, and Chien et al. combination to include receiving recurring billing information as taught by DonationDepot.com in order to provide an automatic means donating to charities on a consecutive basis.

**As per Claim 14**, the MacFarlane et al., Major, and Chien et al. combination discloses the claimed invention as applied to Claim 10, above. However, the combination fails to explicitly disclose providing access to charity data respectively related to all government approved 501(c) charities via a donation portal.

DonationDepot.com discloses a donation system with the concept of providing access to charity data respectively related to all government approved 501(c) charities via a donation portal (Pages 1 and 3, discloses the system providing all donors and all US 501(c)3 non-profit organizations access, wherein a list of all registered non-profit organizations in the United States are provided to the donors) via a online donation portal (defined as a site serving as a guide or point of entry to the World Wide Web and usually including a search engine or a collection of links to other sites arranged especially by topic in *Merriam-Webster Online Dictionary*. Retrieved July 17, 2008, from <http://www.merriamwebster.com/dictionary/portal>) (Pages 1-10, discloses providing a search engine on the website where a donor may search for a charity; and providing a hyperlink to obtain additional information about a charity via "Featured Charity").

Therefore, from the teaching of DonationDepot.com, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the MacFarlane et al., Major, and Chien et al. combination to include providing access to charity data respectively related to all government approved 501(c) charities via a donation portal as taught by DonationDepot.com in order to keep the donors well informed of all the regulated charities available to provide donations.

7. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacFarlane et al. (7,014,104) in view of Major (US 2002/0174063) and in further view of DonationDepot.com (October 8, 2001).

**As per Claim 18**, the MacFarlane et al. and Major combination discloses the claimed invention as applied to Claim 16, above. However, the combination fails to explicitly disclose receiving recurring billing information.

DonationDepot.com discloses a donation system with the concept of receiving recurring billing information (Page 2, discloses receiving automatic payroll deduction information (i.e. recurring billing). Examiner asserts that the type of person providing the billing information holds little patentable weight in the method claim. Examiner asserts the method of receiving recurring billing information would be performed the same regardless type of person providing the information.).

Therefore, from the teaching of DonationDepot.com, it would have been obvious to one of ordinary skill in the art to modify the MacFarlane et al. and Major combination to include receiving recurring billing information as taught by DonationDepot.com in order to provide an automatic means donating to charities on a consecutive basis.

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**As per Claim 19**, the MacFarlane et al. and Major combination discloses the claimed invention as applied to Claim 16, above. However, the combination fails to explicitly disclose providing at least one of: listing capabilities, searching capabilities, and selecting capabilities.

DonationDepot.com discloses a donation system with the concept of providing at least one of: listing capabilities, searching capabilities, and selecting capabilities (Pages 1-10, discloses providing a list of charities based on search results; providing the user the ability to search for a charity; and providing the user the ability to select a charity listed).

Therefore, from the teaching of DonationDepot.com, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the MacFarlane et al. and Major combination to include providing at least one of: listing capabilities, searching capabilities, and selecting capabilities as taught by DonationDepot.com in order to provide a convenient means for a user to located a charity in which they desire to provide a donation to.

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection as a result of newly added claim limitations.

### ***Conclusion***

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FONYA LONG whose telephone number is (571)270-5096. The examiner can normally be reached on Mon-Thurs. 7:30am-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janice Mooneyham can be reached on (571) 272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. L./

Examiner, Art Unit 3689

/Janice A. Mooneyham/

Supervisory Patent Examiner, Art Unit 3689